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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF TORTURE AND DETENTION

Note verbale dated 21 March 2002 from the Permanent Mission of Italy to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

The Permanent Mission of Italy to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to request circulation of the communication dated 19 February 2002* addressed to Mr. Theo van Boven, the Special Rapporteur on the question of torture, as an official document of the Commission under agenda item 11, in response to the questions about the events in Genoa that were raised by the Special Rapporteur.

* Reproduced in the annex as received, in the language of submission and English only.

Annex

The Permanent Representative of Italy to the
International Organizations
10, Chemin de l'Imperatrice
Geneva Geneva,

Further to my communication dated 31.10.2001 and in reply to your predecessor's request for clarification, contained in his letter of 30th September last, in relation to the Genoa events (G8 Summit), I have the pleasure to inform you that the judicial organ entrusted with the relevant enquiry is the Public Prosecutor's Office of the Genoa Tribunal, where there are currently nine pending enquiries which should be concluded (though with a possibility of extension) as soon as the persons under investigation have been recorded in the ad hoc register.

Among the issues inquired into, there are the two cases of alleged abuses and violence by the police forces. In consideration of the complexity of the investigations, seven magistrates have been entrusted with accurate controls and verifications, inter alia by means of ad hoc mechanisms, such as the Committees of enquiry set up in Saragoza (Spain) and in other cities in Germany, for the purpose of gathering testimony produced by the people having reported personal injuries back to the police at the time of the events mentioned above. The documents collected by the magistrature also include quite a large number of medical reports drafted by public hospitals.

Mr. Theo van Boven
Special Rapporteur on Torture
Office of the United Nations
High Commissioner for Human Rights
Palais Wilson
GENEVA

The current inquiries not having borne any indisputable results as yet, the only decisions that the judges concerned have made so far are in respect of the warrants of arrest - although none against the young people on remand at the Diaz School - or of the orders of confirmation/removal of precautionary measures issued by the magistrate in charge of the preliminary investigations, upon request by the Public Prosecutor.

Needless to say, Mr. Special Rapporteur, that none of the deadlines that have been fixed in compliance with the Italian legislation have yet expired.

Should the magistrature confirm that there have been cases of illicit behaviour by members of the police forces, they will be sanctioned by the Government without any hesitation and with the necessary rigour. In fact, disciplinary action has already been taken against officials from the Ministry of the Interior.

I shall not fail to keep you posted on the final outcome of the ongoing enquiries and I avail myself of this opportunity to renew to you, dear Mr. Special Rapporteur, the assurance of my highest consideration.

Andrea Negrotto Cambiaso